

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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In re:	:	
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THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i> ,	:	(Jointly Administered)
	:	
	:	
Debtors. ¹	:	
	X	

**URGENT MOTION FOR LEAVE TO EXCEED PAGE LIMIT WITH RESPECT TO
REPLY OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS IN SUPPORT
OF MOTION PURSUANT TO FED. R. BANKR. P. 3013 FOR ENTRY OF AN ORDER
RECLASSIFYING CLASS 39A AND CLASS 41 CLAIMS UNDER OVERSIGHT
BOARD'S PLAN OF ADJUSTMENT DATED FEBRUARY 28, 2020**

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5233 (LTS)) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States Magistrate Judge Judith Gail Dein:

The Official Committee of Unsecured Creditors of all Title III Debtors (other than PBA and COFINA) (the “Committee”) hereby files this urgent motion (the “Urgent Motion”), requesting entry of an order, substantially in the form attached hereto as **Exhibit A**, allowing the Committee to exceed the fifteen page limit set forth in the *Eleventh Amended Notice, Case Management and Administrative Procedures* [Docket No. 11885-1 in Case No. 17-3283] (the “Case Management Procedures”) with respect to its reply (the “Reply”) in support of the *Motion of Official Committee of Unsecured Creditors Pursuant to Federal Rule of Bankruptcy Procedure 3013 for Entry of an Order Reclassifying Class 39A and Class 41 Claims Under Oversight Board’s Plan of Adjustment Dated February 28, 2020* [ECF No. 11989] (the “3013 Motion”). In support of this Urgent Motion, the Committee respectfully states as follows:

JURISDICTION AND VENUE

1. The United States District Court for the District of Puerto Rico has subject matter jurisdiction over this matter pursuant to section 306(a) of PROMESA. Venue is proper pursuant to section 307(a) of PROMESA.

RELIEF REQUESTED

2. The Committee respectfully requests that it be allowed to exceed the page limit for memoranda of law in support of replies by twenty (20) pages and to file the Reply of no more than thirty-five (35) pages, exclusive of the cover page, tables of contents and authorities, signature pages, exhibits, and certificate of service.

BASIS FOR RELIEF REQUESTED

3. Pursuant to paragraph I.E of the Case Management Procedures, memoranda of law in support of replies are limited to fifteen (15) pages unless “prior permission has been granted” to exceed that limit.

4. The Committee respectfully submits that good cause exists to exceed that limit under these circumstances. As will be discussed in the Reply, seven (7) objections (collectively, the “Objections”)² were filed by six (6) different parties in response to the 3013 Motion. The Objections, which total approximately seventy (70) pages of briefing, raise numerous arguments in opposition to the relief sought by the Committee that must be addressed in the Reply. For these reasons, the Committee will not be able to meet the fifteen page limit for the Reply, which is due on April 17, 2020.

5. Accordingly, the Committee respectfully requests authorization for the Committee to file the Reply of no more than thirty-five (35) pages, exclusive of the cover page, tables of contents and authorities, signature page, exhibits, and certificate of service. The Committee submits that this request is reasonable and appropriate in light of the circumstances.

6. Pursuant to Section I.H. of the Case Management Procedures, undersigned counsel certifies that it has engaged in reasonable, good-faith communications with counsel to other interested parties. Moreover, in accordance with Local Bankruptcy Rule 9013-1(a)(2), undersigned counsel certifies that counsel has carefully examined the matter and concluded that there is a true need for expedited consideration of the Urgent Motion, and that the Committee has not created the urgency through lack of due diligence on its part. Counsel to the Committee has engaged in reasonable, good faith communications with Counsel for the Objectors regarding the relief sought by this Urgent Motion and has not received a response.

² The Objections were filed by (i) the Financial Oversight and Management Board for Puerto Rico (“Oversight Board”) [Dkt. No. 12726]; (ii) the American Federation of Teachers [Dkt. No. 12084]; (iii) the Official Committee of Retired Employees of the Commonwealth of Puerto Rico [Dkt. Nos. 12684 and 12725]; (iv) the American Federation of State, County, and Municipal Employees International Union [Dkt. No. 12689]; (v) the Lawful Constitutional Debt Coalition [Dkt. No. 12724]; and (vi) the QTCB Bondholder Group [Dkt. No. 12723] (collectively, the “Objectors”).

NOTICE

7. Notice of this Motion has been provided to the following entities, or their counsel, if known: (i) the U.S. Trustee; (ii) the Office of the United State Attorney for the District of Puerto Rico; (iii) the Objectors; and (iv) all parties that have filed a notice of appearance in the above-captioned title III cases.

NO PRIOR REQUEST

8. No prior request for the relief requested herein has been made by the Committee to this or to any other court.

WHEREFORE, the Committee respectfully requests that this Court enter an order substantially in the form attached hereto as **Exhibit A** granting the relief requested herein, and granting such other relief as this Court deems just and proper.

Dated: April 15, 2020

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- and -

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